

FILED

MAY 12 2008

MAY 12 2008
MICHAEL W. DOBBINS

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

Eloise K. Hahn, P.E., R.E.M.
Plaintiff

v.

Cause No.08CV2333

Frank Hyde, Acting as D. Director

U.S. EPA Region 5
Peter Swenson, USEPA Region 5
Alan Nudelman, US EPA Region 5
Merry Jackson, USEPA Region 5
Defendants

Assigned Judge: Judge Coar

**Designated Magistrate
Judge:Magistrate Judge Cole**

Amended **IN FORMA PAUPERIS APPLICATION**
AND FINANCIAL AFFIDAVIT

I, Eloise K. Hahn, P.E., R.E.M., declare that I am the primary Plaintiff in the above entitled case. This affidavit constitutes my application to proceed without full prepayment of fees and in support of my motion for appointment of counsel. I also declare I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint/petition/motion/appeal. In support of this petition/application /motion/appeal, I answer the following questions under penalty of perjury:

1. I am not currently incarcerated.
2. I am presently employed averaging approximately \$2,800 per month in wages.

The name and address of my employer is:

U.S. EPA Region 5
NPDES Programs Branch,Mail Code: WN-16J
77 W.Jackson Blvd.

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Chicago, IL 60604

3. I am not married and do not receive child support for either of my two children.
4. In the past twelve months my daughter nor I received additional \$200 in wages from other employers. My daughter currently does volunteer work for the elderly and disabled.
5. I have not received any income from a private business or self employment in the past twelve months,
6. I am in the hole as far as my checking acct balance goes and have been assessed as much as \$1,500 in over draft fees in the past month.
7. The only stocks or bonds I owe are the securities remaining in my TSP acct. I currently have a loan against the retirement fund in excess of \$20,000.
8. I currently rent an apt.in Berwyn at the rental cost of \$1,100 per month, plus heat,electric,telephone,cable,water,sewer, garbage and maintenance expenditures for maintaining the rounds.
9. My daughter and I each own a car which are not paid off. I currently pay \$686 per month for the car payment interest free. I owe \$33,000 and the car is only worth \$18,000 market value. My daughter's car I owe approximately \$18,000.I don't know what the market value is.
9. When my parents and siblings past away theU.S government demanded approximately \$2,000,000 dollars in estate tax and \$450,000 for Cook County death taxes. It was a very traumatic time to loose our family farm and fortune. We have never recovered from the loss of the family assets and the income provided in farming 820 acres. Frankly, I don't ever think I will get over this loss particularly since my parents had five grandchildren who are all having financial difficulties at this time,including me who is a single mother.
10. The dependants that are dependen tome for support are my two children, Gustave Hahn-Powell and Louise K.Hahn, not to mention myself.
11. I also have \$63,000 incredit card debt and have a very low credit score of about 300. HenceI must buy anything and everything on a cash basis.

I declare under penalty of perjury that the above information is true and accurate. I understand that pursuant to 28 U.S.C. Section 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that the allegation of poverty is untrue.

Date: May 8, 2008

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

Eloise K. Hahn, P.E., R.E.M.
Plaintiff

Cause No. 08CV2333

v.
U.S. EPA, Region 5
Peter Swenson, USEPA Region 5
Alan Nudelman, US EPA Region 5
Merry Jackson, USEPA Region 5
Defendants

Assigned Judge: Judge Coar

**Designated Magistrate
Judge: Majistrate Judge Cole**

FINANCIAL AFFIDAVIT

COMES KNOW Plaintiff, Eloise K. Hahn, P.E., R.E.M., pro se and for her
Petition for Financial Affidavit alleges and says:

1. That she is the primary Plaintiff in this cause of action.
2. That the Plaintiff's immediate supervisor, Peter Swenson has recently denied Plaintiff any and all requests for advanced annual or sick leave.
3. That currently Plaintiff's paycheck is being cut approximately \$800 dollars biweekly attributing to a banking nightmare.
4. That Plaintiff currently owes the USEPA approximately 30 hrs. of advanced leave and 59 hrs. of sick leave. Additionally, Plaintiff affirmatively states that she has only be granted 45 hours of paid annual leave, 18 hours of sick leave, 16 hours of holiday pay, 13.75 hours of LWOP and 2.75 hours AWOL since January 2008. In other words the Plaintiff has basically been working non-stop since January 2008 to the

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present which are the coldest days of the year. Further, Plaintiff affirmatively states that her immediate supervisor denied her advanced annual leave to undergo her once a year weekly timeshare holiday attributing to over \$250 in lost monetary funds. Finally, Plaintiff has elected to fly down to see her son graduate from college on May 10, 2008. Her immediate supervisor has refused to grant the Plaintiff 9 hours of advanced annual leave for this excursion as well. In other words the Plaintiff (age 54 years) is expected to work around the clock this entire year while her coworkers are granted flexi-place at home and approximately 2 months of paid vacation per year.

5. Plaintiff alleges it is imperative to be present at her son's college graduation in Alabama this week-end since her son's father is dying of cancer and cannot attend the ceremony. Additionally, Plaintiff's son only has \$300 and needs someone to cosign his lease for his continuing studies in graduate school this August 2008.
6. That Plaintiff's most recent paycheck was \$800. The monetary funds are not adequate to pay her rent, electric, food, tuition, car payments, credit card obligations, a copy of which is hereto attached in Exhibit A.

WHEREFORE Plaintiff prays to this honorable court for economic relief to be

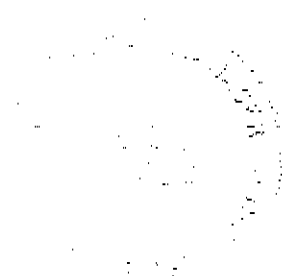
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approved to workflexi-place and advanced annual leave.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eloise K. Hahn".

EloiseK.Hahn, P.E., R.E.M.



*Exhibit A***FINANCIAL AFFIDAVIT**

Wages.....\$2,800 (net)
Tuition.....\$1,000
Heat.....\$300
Electric.....\$75
Cable.....\$73
Credit Card Debt.....\$575
Car Payments.....\$1,000
Insurance.....\$280 + \$350 = \$630
Phone.....\$225
Gas.....\$400
TSP Loans.....\$370
Medicine.....\$500
Health Insurance.....\$362
Dental Insurance.....\$100
Rent.....\$500
Food.....\$800
Grooming.....\$250
Water/Garbage.....\$50
Dental.....\$150
Physicians/Hospital.....\$400
Cleaning/Maintenance.....\$200
Prepaid legal.....\$50



NATIONAL CITY BANK
P.O. BOX 3038
KALAMAZOO, MI 49003-3038

ELOISE K HAHN TRUST
ELOISE K HAHN TRUSTEE
1631 CLARENCE AVE
BERWYN IL 60402

05/05/08

Overdraft/Non-Sufficient Funds Notice

On 05/05/08, there was not enough money in your National City checking account 601686218 to cover the debit items we received that day. We took the following action:

Debit Item(s)	Action	National City Fee
<u>Received</u>		
\$3.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$6.25	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$19.99	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$22.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$23.94	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$30.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$63.59	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$84.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$138.99	PAID/ACCT OVERDRAWN	\$34.00 CHARGED

As a result, the final available balance* in your account after posting was -\$666.82.
A deposit to your account may be required to avoid incurring future fees. If an account is overdrawn and remains so for more than 4 consecutive business days a \$8.00 continuous overdraft fee will be charged each day that it is still overdrawn.

National City offers several ways to protect your account from overdrafts or non-sufficient funds. For more information about overdraft protection options, or if you have any questions about this notice, contact your National City branch or call our customer service center at 1-800-925-9259.

Thank you for choosing National City.

Returned: As a result of the non-sufficient funds (NSF), debit item was returned unpaid to the merchant or payee.
Paid/Acct. Overdrawn: Debit item was paid and charged to the account. This action caused the account to be overdrawn.

**Available balance - This is the total balance in your account less deposited funds not yet available for your use, pending debit card transactions, and holds placed on your account. If you have overdraft protection, funds available through overdraft protection are also included in this amount.*

Branch: 617



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BERWYN IL 60402

05/01/08

Overdraft/Non-Sufficient Funds Notice

On 05/01/08, there was not enough money in your National City checking account. 601686218 to cover the debit items we received that day. We took the following action:

<u>Debit Item(s)</u>	<u>Action</u>	<u>National City Fee</u>
<u>Received</u>		
\$15.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED

1 overcharge

As a result, the final available balance* in your account after posting was **-\$34.66**.
A deposit to your account may be required to avoid incurring future fees. If an account is overdrawn and remains so for more than 4 consecutive business days a \$8.00 continuous overdraft fee will be charged each day that it is still overdrawn.

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04/28/08

Overdraft/Non-Sufficient Funds Notice

On 04/28/08, there was not enough money in your National City checking account 801686218 to cover the debit items we received that day. We took the following action:

Debit Item(s)	Action	National City Fee
<u>Received</u>		
\$18.91	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$25.44	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$40.50	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$45.95	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$52.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$101.34	PAID/ACCT OVERDRAWN	\$34.00 CHARGED

6 overcharges

As a result, the final available balance* in your account after posting was **-\$471.85**.
A deposit to your account may be required to avoid incurring future fees. If an account is overdrawn and remains so for more than 4 consecutive business days a \$8.00 continuous overdraft fee will be charged each day that it is still overdrawn.

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BERWYN IL 60402

03/18/08

Overdraft/Non-Sufficient Funds Notice

On 03/18/08, there was not enough money in your National City checking account 601686218 to cover the debit items we received that day. We took the following action:

Debit Item(s) Received	Action	National City Fee
\$6.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$10.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$10.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$11.92	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$22.50	PAID/ACCT OVERDRAWN	\$34.00 CHARGED

5 overdrafts

As a result, the final available balance* in your account after posting was **-\$209.36**.
A deposit to your account may be required to avoid incurring future fees. If an account is overdrawn and remains so for more than 4 consecutive business days a \$8.00 continuous overdraft fee will be charged each day that it is still overdrawn.

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Thank you for choosing National City.

Returned: As a result of the non-sufficient funds (NSF), debit item was returned unpaid to the merchant or payee.
Paid/Acct. Overdrawn: Debit item was paid and charged to the account. This action caused the account to be overdrawn.

**Available balance - This is the total balance in your account less deposited funds not yet available for your use, pending debit card transactions, and holds placed on your account. If you have overdraft protection, funds available through overdraft protection are also included in this amount.*

Branch: 617



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04/28/08

Overdraft/Non-Sufficient Funds Notice

On 04/28/08, there was not enough money in your National City checking account 601686218 to cover the debit items we received that day. We took the following action:

Debit Item(s) <u>Received</u>	<u>Action</u>	<u>National City Fee</u>
\$18.91	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$25.44	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$40.50	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$45.95	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$52.00	PAID/ACCT OVERDRAWN	\$34.00 CHARGED
\$101.34	PAID/ACCT OVERDRAWN	\$34.00 CHARGED

6 overcharges

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Branch: 617

National City.**Interim Statement**Page 1

03/24/08

Account Number: 601686218

Beginning Balance: 2,366.52

Date	Description	Checks/Debits	Deposits/Credits	Balance
03/07/08	CHECK NUMBER 05202	-248.52		2,118.00
03/07/08	ATM CASH WITHDRAWAL	-102.00		2,016.00
03/07/08	VISA CHECK CARD TRANSACTION	-38.19		1,977.81
03/07/08	VISA CHECK CARD TRANSACTION	-24.51		1,953.30
03/07/08	CHECK NUMBER 05215	-20.00		1,933.30
03/10/08	ATM DEPOSIT		53.12	1,986.42
03/10/08	VISA CHECK CARD TRANSACTION	-164.00		1,822.42
03/10/08	VISA CHECK CARD TRANSACTION	-28.00		1,794.42
03/10/08	CHECK NUMBER 05214	-250.00		1,544.42
03/10/08	ATM CASH WITHDRAWAL	-200.00		1,344.42
03/10/08	CHECK NUMBER 05209	-160.59		1,183.83
03/10/08	VISA CHECK CARD TRANSACTION	-35.71		1,148.12
03/10/08	VISA CHECK CARD TRANSACTION	-24.40		1,123.72
03/10/08	ATM CASH WITHDRAWAL	-7.45		1,116.27
03/11/08	ACH AUTOMATIC DEPOSIT		2,158.02	3,274.29
03/11/08	CHECK NUMBER 05011 (CONVRTD PERS)	-286.77		2,987.52
03/11/08	CHECK NUMBER 05177	-249.00		2,738.52
03/11/08	ATM CASH WITHDRAWAL	-102.50		2,636.02
03/11/08	CHECK NUMBER 05216	-65.00		2,571.02
03/11/08	CHECK NUMBER 05211 (CONVRTD PERS)	-40.00		2,531.02
03/11/08	ATM CASH WITHDRAWAL	-18.47		2,512.55
03/12/08	VISA CHECK CARD TRANSACTION	-213.97		2,298.58
03/12/08	CHECK NUMBER 05014	-240.16		2,058.42
03/12/08	VISA CHECK CARD TRANSACTION	-31.41		2,027.01
03/13/08	CHECK NUMBER 05015	-105.84		1,921.17
03/13/08	CHECK NUMBER 05012	-50.00		1,871.17
03/13/08	VISA CHECK CARD TRANSACTION	-35.71		1,835.46
03/13/08	VISA CHECK CARD TRANSACTION	-4.51		1,830.95
03/14/08	CHECK NUMBER 05217	-400.00		1,430.95
03/14/08	CHECK NUMBER 05213 (CONVRTD PERS)	-100.00		1,330.95
03/14/08	CHECK NUMBER 05212 (CONVRTD PERS)	-69.70		1,261.25
03/14/08	VISA CHECK CARD TRANSACTION	-27.65		1,233.59

National City.**Interim Statement**Page 2

03/24/08

Account Number: 601686218

over draft charges

Beginning Balance: 2,366.52

3582.00

ELOISE K HAHN

1631 CLARENCE AVE

BERWYN IL 60402-1914

Date	Description	Checks/Debits	Deposits/Credits	Balance
03/17/08	WIRE TRANSFER CREDIT		500.00 ✓	1,733.59
03/17/08	VISA CHECK CARD TRANSACTION	-30.00		1,703.59
03/17/08	CHECK NUMBER 04983	-400.00		1,303.59
03/17/08	ACH AUTOMATIC DEBIT	-310.93		992.66
03/17/08	ATM CASH WITHDRAWAL	-99.75		892.91
03/17/08	CHECK NUMBER 05219 (CONVRTD PERS)	-75.00		817.91
03/17/08	ATM CASH WITHDRAWAL	-40.50		777.41
03/17/08	VISA CHECK CARD TRANSACTION	-24.40		753.01
03/17/08	VISA CHECK CARD TRANSACTION	-22.00		731.01
03/17/08	VISA CHECK CARD TRANSACTION	-14.36		716.65
03/17/08	VISA CHECK CARD TRANSACTION	-12.00		704.65
03/17/08	ATM CASH WITHDRAWAL	-4.55		700.10
03/18/08	VISA CHECK CARD TRANSACTION	-3.00		697.10
03/18/08	VISA CHECK CARD TRANSACTION	-1.90		695.20
03/18/08	ACH AUTOMATIC DEBIT	-410.00 <i>Insurance</i>		285.20
03/18/08	CHECK NUMBER 05023	-100.00		185.20
03/18/08	VISA CHECK CARD TRANSACTION	-43.56		141.64
03/18/08	VISA CHECK CARD TRANSACTION	-34.60		107.04
03/18/08	ATM CASH WITHDRAWAL	-22.50		84.54
03/18/08	OVERDRAFT CHARGE	-34.00 1		50.54
03/18/08	VISA CHECK CARD TRANSACTION	-11.92		38.62
03/18/08	OVERDRAFT CHARGE	-34.00 ✓ 2		4.62
03/18/08	CHECK NUMBER 05017	-10.00		-5.38
03/18/08	OVERDRAFT CHARGE	-34.00 ✓ 3		-39.38
03/18/08	CHECK NUMBER 05018 (CONVRTD PERS)	-10.00		-49.38
03/18/08	OVERDRAFT CHARGE	-34.00 ✓ 4		-83.38
03/18/08	ATM CASH WITHDRAWAL	-6.00		-89.38
03/18/08	OVERDRAFT CHARGE	-34.00 ✓ 5		-123.38
03/19/08	VISA CHECK CARD TRANSACTION	-43.50		-166.88
03/19/08	VISA CHECK CARD TRANSACTION	-21.73		-188.61
03/19/08	VISA CHECK CARD TRANSACTION	-17.75		-206.36
03/19/08	VISA CHECK CARD TRANSACTION	-6.95		-213.31

National City.**Interim Statement**Page 3

03/24/08

Account Number: 601686218

To: Jerry

312 466-0823

Beginning Balance: 2,366.52

ELOISE K HAHN
1631 CLARENCE AVE
BERWYN IL 60402-1914

File 432750

34
x 13
102
34
442
140

Date	Description	Checks/Debits	Deposits/Credits	Balance
03/19/08	OVERDRAFT CHARGE	-34.00 ✓ 6	582	-247.31
03/20/08	ACH AUTOMATIC DEBIT	-49.99		-297.30
03/20/08	OVERDRAFT CHARGE	-34.00 ✓ 7		-331.30
03/20/08	ACH AUTOMATIC DEBIT	-46.21		-377.51
03/20/08	OVERDRAFT CHARGE	-34.00 ✓ 8		-411.51
03/20/08	ATM CASH WITHDRAWAL	-34.91		-446.42
03/20/08	OVERDRAFT CHARGE	-34.00 ✓ 9		-480.42
03/20/08	VISA CHECK CARD TRANSACTION	-32.35		-512.77
03/20/08	OVERDRAFT CHARGE	-34.00 ✓ 10		-546.77
03/20/08	CHECK NUMBER 05016	-20.00		-566.77
03/20/08	OVERDRAFT CHARGE	-34.00 ✓ 11		-600.77
03/20/08	VISA CHECK CARD TRANSACTION	-6.34		-607.11
03/20/08	OVERDRAFT CHARGE	-34.00 ✓ 12		-641.11
03/20/08	STOP PAYMENT CHARGE	-32.00 - why 2 charges		-673.11
03/21/08	WIRE TRANSFER CREDIT		500.00 ✓	-173.11
03/21/08	CHECK PRINTING CHARGE	-49.35		-222.46
03/21/08	CHECK NUMBER 05220	-250.00		-472.46
03/21/08	OVERDRAFT CHARGE	-34.00 ✓ 13		-506.46
03/21/08	CHECK NUMBER 05195	-10.00		-516.46
03/21/08	OVERDRAFT CHARGE	-34.00 ✓ 14		-550.46
03/21/08	ATM CASH WITHDRAWAL	-9.84 stamps		-560.30
03/21/08	OVERDRAFT CHARGE	-34.00 15		-594.30
03/21/08	ATM CASH WITHDRAWAL	-8.49 f 7 checks		-602.79
03/21/08	OVERDRAFT CHARGE	-34.00 16		-636.79
03/21/08	VISA CHECK CARD TRANSACTION	-4.36 McDonalds		-641.15
03/21/08	OVERDRAFT CHARGE	-34.00 ✓ 17		-675.15
03/21/08	VISA CHECK CARD TRANSACTION	-3.00		-678.15
03/21/08	OVERDRAFT CHARGE	-34.00 ✓ 18		-712.15
03/21/08	VISA CHECK CARD TRANSACTION	-1.88		-714.03
03/21/08	OVERDRAFT CHARGE	-34.00 ✓ 19		-748.03

Marguerite 18
Elephant 25.13
dante
Burger King 2.13

Billy Goat 9.56
Kavanaugh 8.13
Bill of cost 3.30

816
32
848
32
880
50
930

(Rev. 12/08/04) MT031200